IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 15TH FEBRUARY 2007 / 26TH MAGHA 1928

OP.No. 26071 of 2000(D)

PETITIONERS:

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1. S.GOPAKUMAR, S/O.SREEKANTAN NAIR, CHERUKARA, THUNDUVILAKATHU VEEDU, JUDGE ROAD, KARAMANA. THIRUVANANTHAPURAM.

2. JAYAKUMAR.K, S/O.KRISHNAN NAIR, MAILAMOODU, KOKKOTTU ELA.P.O., ARYANADU.

3. MOHANAN NAIR, S/O.KUNJU KRISHNAN NAIR, MAYA SADANAM, KATHIYODU, MANAPPURAM, KALAYINKEEZHU.P.O.

4. N.D.MOHANA DAS, S/O.M.K.DAS, NEEROTTUKONAM, VADAKKINKARAPUTHEN VEEDU, ANTHIYOORKONAM, KOLLODU.P.O., MALAYINKEEZHU.

5. S.SREEKUMARAN NAIR, S/O.SIVASANKARA PILLAI, VATTAVILAKATHU PUTHEN VEEDU, MOTTAMOODU, NEMOM.P.O.

6. BALAKRISHNAN NAIR, S/O.KUTTAN PILLAI, N.P.3, 240, AWATHY BHAVANAM, PONNUMANGALAM, KARAKKADE LANE, KARAKKAMANDAPAM, NEMOM.P.O., THIRUVANANTHAPURAM.

7. S.SUBODHANAN, S/O.SUKUMARAN, SREE GANAPATHI BHAVAN, PUNNCHAKKARI, THIRUVALLAM.P.O., THIRUVANANTHAPURAM.

8. K.SREEKUMAR, S/O.R.KAMALAPPAN, MEDAYIL CHERUMOODU VEEDU, THOTTOM, MANACAUD, THIRUVANANTHAPURAM.

9. JAYAKUMAR.G, S/O.GOVINDA PILLAI, MANJUVILA VEEDU, VALIYARTHALA, MALAYINKEEZHU, OORUTTEMBALAM, THIRUVANANTHAPURAM.

10. V.SAMBASIVAN, S/O.VELAYUDHAN PILLAI, T.C.40/1199(3), MADATHUVILAKATHU VEEDU, ARUVIKKARA LANE, MANNACAUD.P.O, THIRUVANANTHAPURAM.

11. M.GOPALAKRISHNAN NAIR, S/O.MADHAVAN PILLAI, MEKKEPANAMTHARATHALA VEEDU, THALAYAL, BALARAMAPURAM.P.O, THIRUVANANTHAPURAM.

12. SANI.I.V., S/O.VARGHESE, VADAKKE MAVUNGAL VEEDU, THIRUPURAM.P.O., NEYYATTINKARA, THIRUVANANATHAPURAM.

13. N.VISWAMBHARAN, S/O.NALLA THAMPI, PLAVILAPUTHEN VEEDU, OOKKODU, OOKKODU.P.O., THIRUVANANTHAPURAM.

14. K.SAHADEVAN, S/O.KOCHU KRISHNAN, BINDU VILASAM, VETTAMANGALAM MELE, PAMMAN VILA, RASSAL PURAM.P.O., BALARAMAPURAM, THIRUVANANTHAPURAM.

15. M.ACHUTHAN NAIR, S/O.MADHAVAN NAIR, ACHUTHA SADANAM, PETTEKKULAM, VEERANAKKAVE.P.O. KATTAKKADA, THIRUVANANTHAPURAM.

16. S.NADARAJAN POTTI, S/O.SUBRAMANYAN POTTI, VERIKKAL LANE, THEKKENADA, KOTTAKKANAM.P.O., THIRUVANANTHAPURAM.

17. K.S.VIKRAMAN NAIR, S/O.SUKUMARAN NAIR, AMBIKA VILASAM, GANDHIPURAM, SREEKARYAM.P.O., THIRUVANANTHAPURAM.

BY ADV. SRI.V.PHILIP MATHEWS

RESPONDENTS:
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1. THE STATE OF KERALA, REPRESENTED BY SECRETARY TO GOVT., GENERAL ADMINISTRATION DEPARTMENT (HOUSE KEEPING CELL), SECRETARIAT, THIRUVANANTHPAURM.

2. MANAGING COMMITTEE OF KERALA GOVERNMENT SECRETARIAT CANTEEN, THIRUVANANTHAPURAM, REPRESENTED BY ITS SECRETARY.

3. LABOUR COMMISSIONER, OFFICE OF THE LABOUR COMMISSIONER, THIRUVANANTHAPURAM.

4. REGIONAL COMMISSIONER, OFFICE OF THE REGIONAL COMMISSIONER, EMPLOYEES' PROVIDENT FUNDS, BHAVISHYANIDHI BHAVAN, P.B.NO.1016, PATTAM, THIRUVANANTHAPURM.

BY GOVERNMENT PLEADER SMT.K.R.DEEPA

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 15/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP NO.43857 OF 2000 IN OP NO.26071 OF 2000

DISMISSED

SD/-
15.2.07. KURIAN JOSEPH, JUDGE

/TRUE COPY/

P.A . TO JUDGE

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KURIAN JOSEPH, J.

O.P. No.26071 of 2000

Dated 15th February, 2007.

J U D G M E N T

Petitioners claim that they are employees of the Kerala Government Secretariat Canteen, Thiruvananthapuram. They also claim regularisation in service. They have filed Ext.P7 representation. This Court directed the representation to be considered. Ext.P8 is the consequential order. It is stated in Ext.P8 that the petitioners were appointed by the managing committee of the canteen. The alleged posts held by them are not borne on the Secretariat establishment. However, it is admitted that the canteen comes under the Kerala Shops and Commercial Establishments Act. It is also stated in Ext.P8 that if the petitioners have any grievance regarding their service conditions, it is for them to approach the present managing committee. Though there is no counter affidavit, the position is fairly clear that in case the petitioners aspire for any better reliefs, it is a matter for adjudication before appropriate forum, or they have to approach the managing committee who presently runs the canteen. Without prejudice to such liberty, this writ petition is

dismissed.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

W.P.(C)No. of 2002

J U D G M E N T

Dated 15th February, 2007.